

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:12-cr-123

v.

HON. JANET T. NEFF

KENNETH LEE LANG-KNIGHT,

Defendant.

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**MEMORANDUM OPINION AND ORDER**

Defendant Kenneth Lee Lang-Knight has filed a motion for modification or reduction of sentence (Dkt 159) pursuant to 18 U.S.C. §3582(c)(2) on the basis of Amendment 782 of the United States Sentencing Guidelines, made retroactive by the Sentencing Commission. The U.S. Probation Department has filed a Sentence Modification Report (Dkt 179), and Defendant has filed a response (Dkt 180) agreeing with the Sentence Modification Report.

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 782 of the United States Sentencing Guidelines reduced by two levels the offense levels assigned to the quantities that trigger the statutory mandatory minimum penalties in U.S.S.G. §§ 2D1.1 and 2D1.11. These modifications were made retroactive effective November 1, 2014. U.S.S.G. § 1B1.10.

However, the defendant is ineligible for a sentence reduction as the mandatory minimum sentence was imposed, and a reduction of sentence is inconsistent with the policy statements of the U.S. Sentencing Commission.

Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 159) pursuant to 18 U.S.C. § 3582(c)(2) is DENIED.

DATED: July 30, 2015

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge